

Wetlands Bureau Decision Report

Decisions Taken
11/10/2003 to 11/14/2003

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 20 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to Brian Fowler, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

2003-00143 LAPERLE, LEONA
STRATFORD Unnamed Stream

Requested Action:

Retain 4,500 square feet of fill and (2) 30" x 60' culverts impacting 180 linear feet within the bed and banks of an unnamed perennial stream to allow a right of way access to the abutters property. In addition, approximately 18,600 square feet of palustrine forested wetlands were restored by removing unauthorized fill and stabilizing the area with a conservation seed mix.

Inspection Date: 02/06/2003 by Craig D Rennie

APPROVE AFTER THE FACT:

Retain 4,500 square feet of fill and (2) 30" x 60' culverts impacting 180 linear feet within the bed and banks of an unnamed perennial stream to allow a right of way access to the abutters property. In addition, approximately 18,600 square feet of palustrine forested wetlands were restored by removing unauthorized fill and stabilizing the area with a conservation seed mix.

With Conditions:

1. All work shall be in accordance with plans by Cowens Surveying dated August 2003 and with plans by Watershed to Wildlife, Inc., all of which were received by the Department on October 14, 2003.
2. Appropriate siltation/erosion/turbidity controls shall remain until the area is stabilized. Silt fencing must be removed once the area is stabilized.
3. Proper headwalls shall be installed over the culvert ends.
4. Stone aprons shall be installed at the culvert outlets to prevent scouring/erosion.

RESTORATION CONDITIONS:

5. This permit is contingent upon the restoration of 18,600 square feet of wetlands in accordance with the plans received on October 14, 2003.
6. The restoration area shall be properly constructed, monitored, managed in accordance with the restoration plans by Watershed to Wildlife, Inc.
7. Wetland restoration areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or it shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
8. The permittee shall designate a qualified professional who will have the responsibility to assure that the restoration areas are constructed in accordance with the restoration plan, that monitoring is accomplished in a timely fashion, and remedial measures are taken if necessary.
9. The permittee shall monitor the restoration area to assure the work is accomplished in accordance with the plan, and that the necessary soil, water and vegetation are present upon completion of work. Site monitoring shall include a plan for removing invasive species and shall be reviewed by the Wetlands Bureau prior to implementation.
10. Follow-up inspections shall be completed after the first and second growing seasons, to review the success of the restoration areas and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of each year.

With Findings:

1. This project is considered a Major Project per NH Administrative Rule Wt 303.02 (c), as the overall wetland impacts were greater than 20,000 square feet.
2. Wetlands Bureau staff inspected the property on 2/6/03 and found that significant wetland disturbance had occurred as a result of unauthorized activity. The nature of the disturbances is primarily filling.
3. At the request of DES Wetlands Bureau staff, a complete site inspection and delineation was completed and documented by Watershed to Wildlife, Inc (John Severance & Elise Lawson) to assess wetland damages and to develop a restoration plan.
4. The applicant restored the wetlands and has submitted a complete restoration plan based on recommendations from DES

Wetlands Bureau staff and the acting agent.

5. Public hearing is waived with the finding that the access road will not significantly impact the resources of the riparian wetland system provided that the areas disturbed from unauthorized activity were completely restored.

2003-01040

BIBEAU, DAVID

PELHAM Cranberry Bog Prime Wetland

Requested Action:

Construct a 30 ft.X 40 ft. garage in uplands adjacent to designated Prime Wetlands and construct an earthen berm along the perimeter of the site immediately adjacent to the designated Prime Wetlands.

APPROVE PERMIT:

Construct a 30 ft.X 40 ft. garage in uplands adjacent to designated Prime Wetlands and construct an earthen berm along the perimeter of the site immediately adjacent to the designated Prime Wetlands.

With Conditions:

1. All work shall be in accordance with plans by Gerald H. Miller as revised by Jeffrey C. Orchard dated 9-11-03, as received by the Department on September 16, 2003.
2. Orange construction fencing shall be placed at the limits of construction of the earthen berm to prevent accidental encroachment on wetlands.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. An earthen berm approximately 2 feet in height shall be constructed along the perimeter of the site immediately adjacent to the designated prime wetland to provide a barrier between the wetland and activities on the upland site.
5. The berm shall be stabilized with plantings of indigenous vegetation including white pine trees.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(f), projects located in or adjacent to designated prime wetlands under RSA 482-A:15.
2. A prime wetlands public hearing was held on this project proposal on September 03, 2003.
3. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
4. The applicant has provided evidence which demonstrates that this project, as approved and conditioned, is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
5. The applicant has demonstrated by plan and stated intent for land use of the upland adjacent to the so-called Town of Pelham Cranberry Bog Prime Wetland that this project will not compromise the ecological integrity of this designated prime wetland.
6. The plans accurately locate the boundary of the wetlands and prime wetlands.
7. The construction of a stabilized earthen berm will provide erosion control and protect the designated prime wetland from siltation and runoff.
8. The project as approved and constructed with the required erosion control berm, offsets impact from any increased runoff created by the proposed construction of a 30 ft.X 40 ft. garage.
9. Based on the field inspections conducted on June 27, 2003 and July 18, 2003 by NH DES staff Frank D. Richardson, the project involves minor environmental impacts.
10. Based on the findings above, there is clear and convincing evidence this proposal will have no significant loss of values to the prime wetlands as set forth in RSA 482-A:1, and the project meets the criteria set forth in Rule Wt 703.01 Criteria for Approval.

2003-01436

BRADFORD HILL REVOC TRUST

NASHUA Nashua River

Requested Action:

Construct a 22-unit, 5-story condominium building, including 105 linear feet of retaining wall, with appurtenant parking, drainage structures and landscaping including approximately 5,000 sq. ft. of embankment which will be stabilized with an articulating concrete block revetment system adjacent to the Nashua River, a designated prime wetland.

Conservation Commission/Staff Comments:

The Nashua Conservation Commission voted to recommend against approval of the application. Their concerns include the finding that the proposed project would set a legal precedent by leaving no natural buffer on the Nashua River.

Inspection Date: 06/27/2003 by Frank D Richardson

APPROVE PERMIT:

Construct a 22-unit, 5-story condominium building, including 105 linear feet of retaining wall, with appurtenant parking, drainage structures and landscaping including approximately 5,000 sq. ft. of embankment which will be stabilized with an articulating concrete block revetment system adjacent to the Nashua River, a designated prime wetland.

With Conditions:

1. All work shall be in accordance with plans by Hayner/Swanson, Inc. dated 3 April 2003, as received by the Department on July 7, 2003.
2. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
3. A professional engineer shall inspect the project to insure compliance with the approved plans and permit conditions and file a report with the DES Wetlands Bureau and the Nashua Conservation Commission documenting site conditions, including photos taken from designated photo locations every 6 months from the start of work through to completion.
4. Erosion control and construction sequence notes on the approved plans shall be explicitly followed.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. During all phases of work, from clearing and grubbing to final grading or any temporary suspension of work in an area that is adjacent to the Nashua River, all exposed soil areas shall be temporarily stabilized with erosion control matting and/or netting and pinning on the embankment until the articulating concrete block revetment system is completely installed and stabilized.
7. The permittee and/or owner is responsible to assure that the trees, shrubs and other plantings done to revegetate the embankment become well established and will replace any dead or dying plants as soon as they may be detected.
8. Only low phosphate, slow release fertilizer of the minimum concentration required to establish and promote growth shall be used on this site.
9. Conditions 7 & 8 are long term maintenance requirements for this project.
10. Work shall be done during low flow.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(f), projects located in or adjacent to designated prime wetlands under RSA 482-A:15.
2. A prime wetlands public hearing was held on this project on September 11, 2003.
3. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
4. The applicant has provided evidence which demonstrates that this project, as approved and conditioned, is an alternative which will not result in adverse impacts to areas and environments under the department's jurisdiction per Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
6. The detailed engineering plans accurately locate the boundary of the designated prime wetlands of the Nashua River.
7. The approved plans and conditions of the permit provide for a stabilized and revegetated embankment adjacent to the designated prime wetlands of the Nashua River.
8. The project as approved and constructed in adherence to the provided construction sequence, erosion controls, storm water treatment system and maintenance program offsets impact from any increased runoff created by the development.
9. Based on the inspection conducted on June 27, 2003 by DES Wetlands Bureau staff Frank D. Richardson, the project involves minor environmental impacts.

10. In response to the concerns of the Nashua Conservation Commission, the DES Wetlands Bureau reviews all projects associated with prime wetlands on an individual, site specific basis and does not intend or imply that an approval of a project in any way set precedent for the approval of similar proposals.

11. The reported "natural buffer" of soils and vegetation found on this section of river bank consists primarily of weedy species (e.g. Box Elder) growing on soils which have been previously disturbed by human activities and historical usage of the site.

12. The location of this project is in an urban setting in which there has been considerable alteration of terrain and intensive land use for more than 100 years.

13. The City of Nashua has sites on the Nashua River which provide public access to more natural settings including the Renaissance Park, just upriver from this project and Mine Falls Park further to the west on the Nashua River.

14. Based on the findings above, there is clear and convincing evidence this proposal will have no significant loss of values to the prime wetlands as set forth in RSA 482-A:1, and the project meets the criteria set forth in Rule Wt 703.01 Criteria for Approval.

2003-02241 AYER, DANIEL
DOVER Cocheco River

Requested Action:

Construct two 4 ft x 4 ft concrete slabs connected by stairs on the existing ledge in order to provided a stable platform for a 4 ft. x 30 ft. ramp leading to 12 ft. x 16 ft. float, on approximately 230 feet of frontage along the Cocheco River in Dover.

Inspection Date: 11/13/2003 by Christina Altimari

APPROVE PERMIT:

Construct two 4 ft x 4 ft concrete slabs connected by stairs on the existing ledge in order to provided a stable platform for a 4 ft. x 30 ft. ramp leading to 12 ft. x 16 ft. float, on approximately 230 feet of frontage along the Cocheco River in Dover.

With Conditions:

1. All work shall be in accordance with plans by Daniel Ayer dated September 26, 2003, as received by the Department on October 2, 2003.
2. Any future work in jurisdiction as specified in RSA 482-A on this property will require a new application and approval by the Department of Environmental Services ("DES") Wetlands Bureau.
3. Coastal staff shall be notified in writing prior to commencement of work and upon completion.
4. This permit shall not be effective until recorded at the Registry of Deeds Office by the permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau prior to construction.
5. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain in until the area is stabilized.
6. The decking of the dock shall have a minimum of 6 ft. clearance from the surface of the mud flat and shall have 3/4-inch spacing between the decking planks and the ramp shall have a minimum of 3 ft. clearance from the surface of the mud flat.
7. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
8. Work shall be done during low tide.
9. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
10. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(a), projects in tidal waters.
2. Public hearing is waived based on DES staff field inspection on November 13, 2003 with the finding that the project impacts will not significantly impair the resources of this tidal river.
3. The Pease Development Authority - Division of Ports and Harbors has reviewed the plans and determined that the proposed dock does not impede navigation.

- This dock is consistent with other tidal dock approvals in the seacoast region.

2003-02253 WOODWIND FARMS LLC, C/O STEVE WOOD
DOVER Cocheo River

Requested Action:

Construct a 6 ft. x 45 ft. permanent pier, supported by pilings, and 3 ft. x 30 ft. ramp leading to 6 ft. x 20 ft. and a 10 ft. x 32 ft. float arranged in a T-shape, on approximately 4,000 feet of frontage along the Cocheco River in Dover.

Inspection Date: 11/13/2003 by Christina Altimari

APPROVE PERMIT:

Construct a 6 ft. x 45 ft. permanent pier, supported by pilings, and 3 ft. x 30 ft. ramp leading to 6 ft. x 20 ft. and a 10 ft. x 32 ft. float arranged in a T-shape, on approximately 4,000 feet of frontage along the Cocheco River in Dover.

With Conditions:

- All work shall be in accordance with plans by Pickering Marine Corporation dated September 26, 2003, as received by the Department on October 6, 2003.
- Any future work in jurisdiction as specified in RSA 482-A on this property will require a new application and approval by the Department of Environmental Services ("DES") Wetlands Bureau.
- Coastal staff shall be notified in writing prior to commencement of work and upon completion.
- This permit shall not be effective until recorded at the Registry of Deeds Office by the permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau prior to construction.
- Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain in until the area is stabilized.
- The decking of the dock shall have a minimum of 6 ft. clearance from the surface of the mud flat and shall have 3/4-inch spacing between the decking planks and the ramp shall have a minimum of 3 ft. clearance from the surface of the mud flat.
- This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
- Work shall be done during low tide.
- Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
- Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.

With Findings:

- This is a major impact project per Administrative Rule Wt 303.02(a), projects in tidal waters.
- Public hearing is waived based on DES staff field inspection on November 13, 2003 with the finding that the project impacts will not significantly impair the resources of this tidal river.
- The Pease Development Authority - Division of Ports and Harbors has reviewed the plans and determined that the proposed dock does not impede navigation.
- This dock is consistent with other tidal dock approvals in the seacoast region.

MINOR IMPACT PROJECT

2003-00493 GENUALDO, JEANNE
SANDOWN Unnamed Wetland

Requested Action:

Request for permit amendment to modify specific condition #4 to include language that provides the applicant with the ability to submit a new application to the DES Wetlands Bureau for potential future wetlands impacts on Lot 40-17.

Conservation Commission/Staff Comments:

No comments received from the Sandown Conservation Commission.

APPROVE AMENDMENT:

Dredge and fill approximately 5,604 square feet of forested wetlands and a perennial stream to construct a roadway to provide access to a 16-lot residential subdivision on approximately 34 acres. Fill approximately 3,329 square feet of forested wetlands to construct driveways to provide access to two lots within the 16-lot subdivision. Preserve approximately 3.01 acres of contiguous upland buffer on site as compensatory mitigation for permanent wetlands impacts.

With Conditions:

1. All work shall be in accordance with the following plans:
 - a. the Lot Line Adjustment & Subdivision Plan (Sheets S1 & S2), and the Topographic Subdivision Plan (Sheets S3 & S4) by Promised Land Survey, LLC and Sublime Civil Consultants, Inc. dated March 26, 2003 and revised July 10, 2003, as received by the Department on August 6, 2003;
 - b. the Roadway Plan & Profile (Sheet P1) and the Drainage and Erosion Control Details (Sheet D2) by Sublime Civil Consultants, Inc. dated March 26, 2003 and revised July 10, 2003, as received by the Department on August 6, 2003; and
 - c. the Overall Plan (Sheet S5), the Roadway Plan & Profile (Sheet P2) and the Driveway Profiles (Sheet P4) by Sublime Civil Consultants, Inc. dated March 26, 2003 and revised October 3, 2003, as received by the Department on October 16, 2003; and
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback with the exception of Lot 40-17. Any further alteration of wetlands on Lot 40-17 will require submittal of a new application to the DES Wetlands Bureau for review and approval.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #4 of this approval.
6. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
7. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
8. At least seven days prior to the start of construction the permittee shall notify in writing the NHDES Wetlands Bureau and the Sandown Conservation Commission of the date project construction is proposed to begin.
9. Work shall be conducted during low flow conditions.
10. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
11. Appropriate erosion and siltation controls shall be installed prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
12. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
13. Prior to commencing work on a substructure located within surface waters, a temporary cofferdam shall be constructed to isolate the substructure work area from the surface waters.
14. Temporary cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a temporary cofferdam is fully effective, confined work can proceed without restriction.
15. Temporary cofferdams shall be entirely removed immediately following construction.
16. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.

17. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
18. Proper headwalls shall be constructed within seven days of culvert installation.
19. Stone aprons shall be installed at culvert outlets, where appropriate, to dissipate flow velocities and prevent scour and erosion.
20. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
21. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
22. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
23. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
24. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

Compensatory Mitigation:

25. This permit is contingent upon preservation, through execution of a deed restriction, of approximately 3.01 acres of no-cut upland buffers, as depicted on the Overall Plan (Sheet S5) by Sublime Civil Consultants, Inc. dated March 26, 2003 and revised October 3, 2003, as received by the Department on October 16, 2003.
26. The deed restrictions to be placed on the no-cut upland buffer areas shall be written to run with the land, and both existing and future property owners shall be subject to the restrictions.
27. The plan noting the no-cut upland buffer areas with a copy of the final deed restriction language shall be recorded with the Registry of Deeds Office for each appropriate lot. A copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to the start of construction.
28. The no-cut upland buffer areas shall be surveyed by a licensed surveyor, and marked by monuments [stakes] prior to construction.
29. The Wetlands Bureau shall be notified of the placement of the no-cut upland buffer area monuments to coordinate on-site review of their location prior to construction.
30. There shall be no removal of the existing vegetative undergrowth within the no-cut upland buffer areas and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.
31. Activities in contravention of the deed restriction shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

With Findings:

1. The permit amendment modifying specific condition #4 provides the applicant with the ability to submit a new application to the DES Wetlands Bureau for potential future wetlands impacts on Lot 40-17 to provide access to abutting Lot 102 (Tax Map 27), as depicted on the approved plans.

2003-01291 POWERS, JAMES
FRANCONIA Unnamed Wetland

Requested Action:

Fill 4,760 square feet of palustrine-forested wetlands to construct an access road that serves a 15-lot subdivision on 105.59 acres of land.

APPROVE PERMIT:

Fill 4,760 square feet of palustrine-forested wetlands to construct an access road that serves a 15-lot subdivision on 105.59 acres of land.

With Conditions:

1. All work shall be in accordance with plans by Stevens Engineering dated 10/03/03, as received by the Department on 10/14/03; and with plans by Kellogg Surveying & Mapping, Inc. dated 12/02, as received by the Department on 6/24/03.

2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
3. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #2 of this approval.
4. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
5. This permit is contingent on approval by the DES Site Specific Program.
6. This permit is contingent on approval by the DES Subsurface Systems Bureau.
7. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and remain until the area is stabilized. Silt fencing must be removed once the area is stabilized.
9. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
10. Proper headwalls shall be constructed over culvert ends within seven days of culvert installation.
11. Culvert outlets shall be properly rip rapped.
12. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
14. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
15. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This project is considered a Minor Project per NH Administrative Rule Wt 303.03(h), as wetland impacts are less than 20,000 square feet.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

2003-01700 GORHAM LAND COMPANY
GORHAM Peabody River

Requested Action:

Fill 4,482 square feet of palustrine-forested/scrub-shrub wetlands to construct an access road that serves a 21-lot subdivision on 70 acres of land (Stony Brook Subdivision - Phase III).

Conservation Commission/Staff Comments:

*Note on 11/10/03: An additional application fee of \$348.20 is forthcoming.

APPROVE PERMIT:

Fill 4,482 square feet of palustrine-forested/scrub-shrub wetlands to construct an access road that serves a 21-lot subdivision on 70 acres of land (Stony Brook Subdivision - Phase III).

With Conditions:

1. All work shall be in accordance with plans by Burd Engineering Associates dated June 5, 2003, as received by the Department

on July 31, 2003.

2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
3. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #2 of this approval.
4. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
5. This permit is contingent on approval by the DES Site Specific Program.
6. This permit is contingent on approval by the DES Subsurface Systems Bureau.
7. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and remain until the area is stabilized. Silt fencing must be removed once the area is stabilized.
9. Work shall be done during low flow conditions.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
11. Proper headwalls shall be constructed over culvert ends within seven days of culvert installation.
12. Culvert outlets shall be properly rip rapped.
13. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
15. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
16. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This project is considered a Minor Project per NH Administrative Rule Wt 303.03(h), as wetland impacts are less than 20,000 square feet.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. As part of the Stony Brook Subdivision approvals, mitigation was provided by placing 108 acres of undeveloped land (on Route 2 in Gorham) into a conservation easement which was deeded to the Society for the Protection of New Hampshire Forests (SPNHF).

2003-01749 EASTERN QUAD LLC
NEW IPSWICH Unnamed Wetland

Requested Action:

Dredge and fill 4,967 square feet of palustrine scrub-shrub and forested wetlands and install a 18" x 30' culvert to provide access to 1 lot of a 2-Lot subdivision

Conservation Commission/Staff Comments:

August 8, 2003, Conservation Commission requested time to review the application.

August 15, 2003, Conservation Commission approved the project

APPROVE AMENDMENT:

Dredge and fill 4,967 square feet of palustrine scrub-shrub and forested wetlands and install a 18" x 30' culvert to provide access to 1 lot of a 2-Lot subdivision

With Conditions:

1. All work shall be in accordance with the Subdivision Plat by Richard P. Drew LLC dated July 25, 2003, as received by the Department on August 7, 2003 and the revised driveway crossing as received by the Department on November 4, 2003.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback on both lots.
4. Work shall be done during low flow.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Proper headwalls shall be constructed within seven days of culvert installation.
7. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
9. No fill shall take place in Atlantic white cedar swamps.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h), alteration of less than 20,000 sq ft of disturbance to jurisdictional wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The Department has determined the requested amendment does not impact jurisdictional areas beyond the initial approval.

**2003-01777 LAVALLIERE REVOC TRUST, LORRAINE
GILFORD Lake Winnepesaukee**

Requested Action:

Extend two existing 4 ft x 30 ft piling piers by 20 ft for a total length of 50 ft, reduce 9 ft x 11 ft nonconforming walkway to a 6 ft x 11 ft walkway, install two 8 ft x 18 ft seasonal boat lifts, install two 3-piling ice clusters, replace and relocate four tie-off pilings 20 ft lakeward on an average of 150 ft of frontage on Belknap Point, Lake Winnepesaukee.

Conservation Commission/Staff Comments:

Con. Com. requested actual frontage w/o the '+' or '-'

APPROVE PERMIT:

Extend two existing 4 ft x 30 ft piling piers by 20 ft for a total length of 50 ft, reduce 9 ft x 11 ft nonconforming walkway to a 6 ft x 11 ft walkway, install two 8 ft x 18 ft seasonal boat lifts, install two 3-piling ice clusters, replace and relocate four tie-off pilings 20 ft lakeward on an average of 150 ft of frontage on Belknap Point, Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated October 27, 2003, as received by the Department on November 5, 2003.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. Any removed material shall be placed outside of the jurisdiction of the DES Wetlands Bureau prior to new construction.
6. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
8. These shall be the only structures on this water frontage and all portions of the structures shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
9. All seasonal structures shall be removed from the lakebed for the non-boating season.
10. No portion of the pier shall extend more than 50 ft from the shoreline at full lake elevation(504.32).
11. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
12. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(d), modification of an existing 3-slip permanent docking structure.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2003-02024 DELRIDGE REALTY
SANDOWN Unnamed Wetland

Requested Action:

Fill approximately 4,000 square feet of forested wetlands and an intermittent stream to construct a roadway to provide access to a 7-lot residential subdivision on approximately 16.45 acres. Preserve approximately 1.53 acres in conservation easement.

Conservation Commission/Staff Comments:

In a letter received by the DES Wetlands Bureau on October 7, 2003 the Sandown Conservation Commission indicated that it had voted to approve the project plans and had no concerns with the project.

APPROVE PERMIT:

Fill approximately 4,000 square feet of forested wetlands and an intermittent stream to construct a roadway to provide access to a 7-lot residential subdivision on approximately 16.45 acres. Preserve approximately 1.53 acres in conservation easement.

With Conditions:

1. All work shall be in accordance with the following plans by Cornerstone Survey Associates, Inc.:
 - a. The Subdivision Plan (Sheet 2 of 6) and the Topography Plan (Sheet 3 of 6) dated December 2002 and revised August 1, 2003, as received by the Department on November 10, 2003; and
 - b. The Roadway Plan & Profile (Sheet 4 of 6) and the Construction Details (Sheets 5 & 6 of 6) dated December 2002 and revised July 15, 2003, as received by the Department on November 10, 2003.

2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
5. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
6. Work shall be conducted during low flow conditions.
7. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
8. Appropriate erosion, siltation, and turbidity controls shall be installed prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Stone aprons shall be installed at culvert outlets, where appropriate, to dissipate flow velocities and prevent scour and erosion.
12. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
13. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
15. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
16. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

Wetland Mitigation:

17. This permit is contingent upon the execution of a conservation easement on 1.53 acres as depicted on the Topography Plan (Sheet 3 of 6) by Cornerstone Survey Associates, Inc. dated December 2002 and revised August 1, 2003, as received by the Department on November 10, 2003.
18. The conservation easement to be placed on the preservation area shall be written to run with the land, and both existing and future property owners shall be subject to this easement.
19. The plan noting the conservation easement with a copy of the final easement language shall be recorded with the Registry of Deeds Office for each appropriate lot. A copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to the start of construction.
20. There shall be no removal of the existing vegetative undergrowth within the easement area and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.
21. The conservation easement area shall be surveyed by a licensed surveyor, and marked by monuments [stakes] prior to construction.
22. Signs to indicate the location of and restrictions on the conservation easement area shall be posted no further than every 150 feet along the boundary of the conservation easement area prior to construction.
23. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

With Findings:

1. The project is categorized as a Minor Impact Project, per Rule Wt 303.03(h), as the project involves less than 20,000 square feet of alteration in nontidal wetlands and surface waters.
2. In a letter received by the DES Wetlands Bureau on October 7, 2003 the Sandown Conservation Commission indicated that it had voted to approve the project plans and had no concerns with the project.
3. The DES Wetlands Bureau did not receive comments from the Exeter River Local Advisory Committee.
4. The applicant has agreed to preserve via conservation easement approximately 1.53 acres on site.
5. The need for the proposed jurisdictional impacts has been demonstrated by the applicant, per Rule Wt 302.01.
6. The applicant has provided evidence which demonstrates that the proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction, in accordance with Rule Wt 302.03.
7. The applicant has demonstrated by plan and example that each factor listed in Rule Wt 302.04(a), Requirements for Application

Evaluation, has been considered in the design of the project.

8. The applicant has addressed the subdivision plan requirements of Rule Wt 304.09(a).

2003-02284 NELSON, GEORGE & MARY
MEREDITH Lake Winnepesaukee

Requested Action:

Repair and replace an existing 14 ft 7 in by 38 ft 6 in boathouse supported by cribs consisting of a 12 ft 3 in by 18 ft 6 in crib, a 9 ft 4 in by 16 ft crib, a 9 ft 4 in by 15 ft crib, a 7 ft by 15 ft crib and a 8 ft 7 in by 15 ft crib, and install three 3 piling ice clusters on Lake Winnepesaukee, Meredith.

Conservation Commission/Staff Comments:

Con Com has no objections to proposed project.

APPROVE PERMIT:

Repair and replace an existing 14 ft 7 in by 38 ft 6 in boathouse supported by cribs consisting of a 12 ft 3 in by 18 ft 6 in crib, a 9 ft 4 in by 16 ft crib, a 9 ft 4 in by 15 ft crib, a 7 ft by 15 ft crib and a 8 ft 7 in by 15 ft crib, and install three 3 piling ice clusters on Lake Winnepesaukee, Meredith.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group dated October 3, 2003, revision date November 6, 2003, as received by the Department on November 6, 2003.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. This permit to replace or repair existing structures shall not preclude the Department of Environmental Services from taking any enforcement action or revocation action if the Department of Environmental Services later determines that these "existing structures" were not previously permitted or grandfathered.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
5. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
7. Dredged material and construction debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Repair shall maintain existing size, location and configuration.
9. Existing rocks which have fallen shall be used for repair. No Additional Rocks.
10. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
11. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
12. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(m).
2. The addition of the ice cluster to this docking facility is less impacting than continued repairs associated with ice damage, therefore this project meets the requirements of Rule Wt 402.22, Modification of Existing Structures.

MINIMUM IMPACT PROJECT

2001-01496 LUND, JAMES N
ALTON Unnamed Wetland

Requested Action:

Retain 12-inch x 20 foot culvert and 765 square feet of associated fill in a forested wetland and additionally impact 800 square feet, install one 12-inch x 30 foot culvert and extend existing culvert six feet for driveway construction to access buildable uplands.

APPROVE PERMIT:

Impact 800 square feet install one 12-inch x 30 foot culvert and extend existing culvert six feet for driveway construction to access buildable uplands.

With Conditions:

1. All work shall be in accordance with plans by Round Pond Soil Survey dated February 13, 2003 and revised through September 29, 2003, as received by the Department on September 29, 2003.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
3. Work shall be done during low flow.
4. This approval shall not preclude the State of New Hampshire from taking any further enforcement actions relative to this matter.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Proper headwalls shall be constructed within seven days of culvert installation.
7. Culvert outlets shall be properly rip rapped.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

DES reaffirms findings dated September 23, 2003 and make the additional findings:

6. The applicant has provided a letter from the town stating the driveway must be in this location due to public safety and sight distance along the road.
7. This permit has been reissued at the request of the permittee to correct administrative deficiencies.
8. The Conservation Commission supports the wetlands restoration and permit application per letter received by DES on 11/4/2003.

2001-02246 MCPHEE, GEORGE
MOULTONBOROUGH Kanasaatka Lake

Requested Action:

Construct a 6 ft by 30 ft seasonal dock on Lake Kanasaatka, Moultonborough.

Conservation Commission/Staff Comments:

No locus found on USGS map. Digitized from tax map.

Con Com has no objections to dock, no dredging.

APPROVE PERMIT:

Construct a 6 ft by 30 ft seasonal dock on Lake Kanasaatka, Moultonborough.

With Conditions:

1. All work shall be in accordance with plans dated October 10, 2003, as received by the Department on November 10, 2003.
2. 1. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
4. Seasonal pier shall be removed from the lake for the non-boating season.
5. No portion of the pier shall extend more than 30 feet from the shoreline at full lake elevation.
6. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(a).

2003-02244 PETTIGREW, DAVID & DENISE
EPSOM Unnamed Stream

Requested Action:

Dredge and fill a total of 1,085 sq. ft. of palustrine forested/ scrub-shrub wetlands to construct a driveway with two (2) culvert crossings to access a single family residence on an 11.9 acre parcel of land.

APPROVE AFTER THE FACT:

Dredge and fill a total of 1,085 sq. ft. of palustrine forested/ scrub-shrub wetlands to construct a driveway with two (2) culvert crossings to access a single family residence on an 11.9 acre parcel of land.

With Conditions:

1. All work shall be in accordance with plans by Carl Sherblom, Sunset Hill Design dated September 10, 2003, as received by the Department on October 02, 2003.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. Proper headwalls shall be constructed within seven days of culvert installation.
6. Culvert outlets shall be properly rip rapped.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

2003-02261 WF ALDEN INC, BRIAN ALDEN
GILFORD Lake Winnepesaukee

Requested Action:

Permanently remove a 4 ft by 37 ft 7 in non-conforming crib supported docking structure and construct a 4 ft by 40 ft seasonal crank-up dock in the same location using the existing concrete pad on Lake Winnepesaukee, Gilford.

Conservation Commission/Staff Comments:

Con Com has no objections

APPROVE PERMIT:

Permanently remove a 4 ft by 37 ft 7 in non-conforming crib supported docking structure and construct a 4 ft by 40 ft seasonal crank-up dock in the same location using the existing concrete pad on Lake Winnepesaukee, Gilford.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated August 8, 2003, as received by the Department on October 6, 2003.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Dredged material and construction debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. This permit does not allow for any dredge of boatslips.
7. The seasonal pier shall be removed from the lake for the non-boating season.
8. No portion of the pier shall extend more than 40 feet from the shoreline at full lake elevation.
9. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(o).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. A seasonal dock is less impacting than a crib dock.
5. The applicant is permanently removing placed fill from the waterbody with the removal of the cribs.
6. DES conducted a site inspection on May 22, 2001 as part of the permitting process for permit 2001-379.

2003-02262 CHAMBERLAIN, MARK & CASSANDRA
SALISBURY Blackwater River

Requested Action:

Complete construction of a 15' wide access road and install (2) 18" x 20' culverts

APPROVE PERMIT:

Complete construction of a 15' wide access road and install (2) 18" x 20' culverts

With Conditions:

1. All work shall be in accordance with plans by the applicant dated September 16, 2003, as received by the Department on October 6, 2003.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Work shall be done during low flow.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
8. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
9. No fill shall be done for lot development.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Culvert outlets shall be properly rip rapped.

12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(z), installation of culverts and associated fill to permit vehicular access to a piece of property for recreational uses and potential single family residence.
2. The Department previously approved 31,000 sq ft of impacts for a subdivision on the property under permit #1996-00170 with a 50 ft wide x 625 ft long access road.
3. Construction of a 15 foot wide roadway commenced, impacting approximately 9,400 sq ft prior to the permit expiring. The lot was never legally subdivided and no additional work was conducted on the property.
4. The Department finds the applicants request to install two culverts and complete the existing 15 ft wide access road will not have a negative impact on the environment.
5. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
6. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
7. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

FORESTRY NOTIFICATION

2003-02248 TR DILLON LOGGING INC
BERLIN Unnamed Stream

COMPLETE NOTIFICATION:
Berlin Tax map 415, Lot# 1

2003-02420 BARLETTA ESTATE, VINCENT
HENNIKER Unnamed Stream

COMPLETE NOTIFICATION:
Henniker Tax Map 1, Lot# 59, 60 & 84

2003-02421 BARLETTA ESTATE, VINCENT
HENNIKER Unnamed Stream

COMPLETE NOTIFICATION:
Henniker Tax MAP 1, Lot# 36, 37, 38, 39 & 61

2003-02423 TR DILLON LOGGING INC
BERLIN Unnamed Stream

COMPLETE NOTIFICATION:
Berlin Tax Map 407, Lot# 8, 9, 12 & 13

2003-02446 LAMERE, DONALD
NORTHFIELD Unnamed Stream

COMPLETE NOTIFICATION:
Northfield Tax Map R21, Lot# 6

2003-02447 WATSON, HAROLD
MERRIMACK Unnamed Stream

COMPLETE NOTIFICATION:
Merrimack Tax Map 4B, Lot# 137

2003-02448 FRANKE, GARY & KATHY
GILFORD Unnamed Stream

COMPLETE NOTIFICATION:
Gilford Tax Map 236, Lot# 5

EXPEDITED MINIMUM

2002-02331 ILG, JOHN
FITZWILLIAM Unnamed Wetland

Requested Action:

Approve name change to: C. Baird and Carol Brown, 7014 Clearview St., Philadelphia, Pa 19119 per request received 11/12/03

Conservation Commission/Staff Comments:

The Fitzwilliam Conservation Commission has expressed no objections to the proposed project.

Name change requested on November 12, 2003, work was not started as of this date.

APPROVE NAME CHANGE:

Dredge and fill 3000 square feet of palustrine forested wetlands for one 18" x 25' culvert and driveway installation for access to a single family dwelling.

With Conditions:

1. All work shall be in accordance with plans by Peragallo Associates dated October 14, 2002, as received by the Department on October 24, 2002.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
4. Work shall be done during low flow.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau
7. Proper headwalls shall be constructed within seven days of culvert installation.

8. Culvert outlets shall be properly rip rapped.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1. Dredge and fill 3000 square feet of palustrine forested wetlands for one 18" x 25' culvert and driveway installation for access to a single family dwelling.

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Wt 502.03(b).

2003-00901 SEYBOLT FAMILY TRUST, JOHN
RYE Tidal Water

Requested Action:

Amend permit to read: replace four (4) existing deteriorated float pilings at a dock on Sagamore Creek in Rye.

APPROVE AMENDMENT:

Amend permit to read: replace four (4) existing deteriorated float pilings at a dock on Sagamore Creek in Rye.

With Conditions:

1. REVISED CONDITION: All work shall be in accordance with revised plans by Arthur Cole as received by the Department on November 14, 2003.

2003-01889 PORTER, JOHN H.
ALTON Lake Winnepesaukee

Requested Action:

Replace 4 pilings supporting a 6 ft by 33 ft permanent dock on Lake Winnepesaukee, Alton.

APPROVE PERMIT:

Replace 4 pilings supporting a 6 ft by 33 ft permanent dock on Lake Winnepesaukee, Alton.

With Conditions:

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction dated July 24, 2003, as received by the Department on August 26, 2003.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Repair shall maintain existing size, location and configuration.
4. This permit to replace or repair existing structures shall not preclude the Department of Environmental Services from taking any enforcement action or revocation action if the Department of Environmental Services later determines that these "existing structures" were not previously permitted or grandfathered.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
6. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
8. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(a).

2003-01957 PERREAULT, MONA
ALTON Lake Winnepesaukee

Requested Action:

Install a seasonal boatlift along the south side of an existing 4 ft x 44 ft seasonal pier on 58 ft of frontage in Alton Bay, Lake Winnepesaukee.

APPROVE PERMIT:

Install a seasonal boatlift along the south side of an existing 4 ft x 44 ft seasonal pier on 58 ft of frontage in Alton Bay, Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans received by the Department on September 3, 2003 and letter from Ric Perrault dated November 5, 2003.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. There shall be no change to the size, location and configuration of the existing pier.
4. This permit shall not preclude the Department of Environmental Services from taking any enforcement action or revocation action if the Department of Environmental Services later determines that the "existing structures" were not previously permitted or grandfathered.
5. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
7. These shall be the only structures on this water frontage and all portions of the boatlift shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
8. Seasonal structures shall be removed from the lake for the non-boating season.
9. No portion of the pier shall extend more than 44 feet from the shoreline at full lake elevation.
10. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04 (a), modification of a 2 slip seasonal pier.

2003-02231 COTE, DENNIS
BARRINGTON Unnamed Wetland

Requested Action:

Permanently fill approximately 160 square feet of forested wetlands and indirectly impact 112 square feet of forested wetlands to expand an existing driveway to improve access to a single family building lot.

APPROVE PERMIT:

Permanently fill approximately 160 square feet of forested wetlands and indirectly impact 112 square feet of forested wetlands to expand an existing driveway to improve access to a single family building lot.

With Conditions:

1. All work shall be in accordance with the Revised Plan by Michael Groover dated November 13, 2003 as received by the Department on November 13, 2003.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

3. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
4. Work shall be conducted during low flow conditions.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
6. Appropriate erosion, siltation, and turbidity controls shall be installed prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
9. No fill shall be done for lot development.
10. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. The project is categorized as a Minimum Impact Project per Administrative Rule Wt 303.04(z).
2. Per a telephone discussion with the applicant's authorized agent on November 12, 2003, the Department finds that culvert installation beneath the proposed driveway at the wetland crossing is not necessary.
3. The applicant's authorized agent agreed to increase proposed wetlands impacts by 112 square feet to account for indirect impacts to the small wetland area immediately west of the proposed driveway resulting from driveway construction.
4. The need for the proposed jurisdictional impacts has been demonstrated by the applicant per Rule Wt 302.01.
5. The applicant has provided evidence which demonstrates that the proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction, in accordance with Rule Wt 302.03.

2003-02310 COLE REVOC TRUST, CAROL
NEW CASTLE Piscataqua River

Requested Action:

Impact 210 square feet of the tidal buffer zone to repair an existing stone and mortar retaining wall in several locations where it has eroded, and to manually relocate several rocks that have shifted as a result of wave action.

Inspection Date: 09/10/2003 by Christina Altimari

APPROVE PERMIT:

Impact 210 square feet of the tidal buffer zone to repair an existing stone and mortar retaining wall in several locations where it has eroded, and to manually relocate several rocks that have shifted as a result of wave action.

With Conditions:

1. All work shall be in accordance with plans by McKenna Associates, dated December 1970, with revisions by Arthur Cole, dated September 2003, 2003, as received by the Department on October 14, 2003.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Coastal staff shall be notified in writing prior to commencement of work and upon its completion.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
6. Appropriate turbidity controls shall be installed prior to construction and shall be maintained during construction such that no turbidity escapes the immediate repair area.
7. Work shall be done during low tide.
8. Work done from the seaward side of the wall shall be done manually. Any work requiring the use of heavy equipment shall be

done from the landward side of the wall, so that no equipment exists within the intertidal zone of the Piscataqua River.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(o), based on the fact that the wall itself is the highest observable tide line, all work will be done manually, and the repaired wall will not exist beyond the footprint of the existing, eroded retaining wall.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence that demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. This approval is consistent with other approval to repair and maintain retaining walls in the NH Seacoast Region.

2003-02316 SAVAGE, HELEN L
NORTH HAMPTON Little River

Requested Action:

Impact 3,408 square feet of developed upland tidal buffer zone for the construction of a single-family residence and garage on a concrete slab, a 14-ft wide compacted gravel driveway, and associated temporary impacts.

APPROVE PERMIT:

Impact 3,408 square feet of developed upland tidal buffer zone for the construction of a single-family residence and garage on a concrete slab, a 14-ft wide compacted gravel driveway, and associated temporary impacts.

With Conditions:

1. All work shall be in accordance with plans by NH Soil Consultants, Inc. dated September 2003, as received by the Department on October 16, 2003.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Coastal staff shall be notified in writing prior to commencement of work and upon its completion.
4. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
5. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
8. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(b), projects in previously developed uplands within 100 feet of the highest observable tide line.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The NH Natural Heritage Inventory (NHNHI) has record of one state threatened plant species within the project vicinity, Tall Wormwood (*Artemisia campestris*). Also, NHNHI has record of one plant species of special concern within the project vicinity, Beach Grass (*Ammophila breviligulata*).
6. DES review of this application finds that none of the NHNHI identified species will be impacted as a result of this project seeing as the proposed work will take place outside of adjacent wetlands and in previously developed uplands.

2003-02317 SAVAGE, JOHN
NORTH HAMPTON Little River

Requested Action:

Impact 1,441 square feet of developed upland tidal buffer zone for the construction of a single-family residence and garage on a concrete slab, a 14-ft wide compacted gravel driveway, and associated temporary impacts.

APPROVE PERMIT:

Impact 1,441 square feet of developed upland tidal buffer zone for the construction of a single-family residence and garage on a concrete slab, a 14-ft wide compacted gravel driveway, and associated temporary impacts.

With Conditions:

1. All work shall be in accordance with plans by NH Soil Consultants, Inc. dated September 2003, as received by the Department on October 16, 2003.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Coastal staff shall be notified in writing prior to commencement of work and upon its completion.
4. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
5. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
8. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(b), projects in previously developed uplands within 100 feet of the highest observable tide line.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence that demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The NH Natural Heritage Inventory (NHNHI) has record of one state threatened plant species within the project vicinity, Tall Wormwood (*Artemisia campestris*). Also, NHNHI has record of one plant species of special concern within the project vicinity, Beach Grass (*Ammophila breviligulata*).
6. DES review of this application finds that none of the NHNHI identified species will be impacted as a result of this project seeing as the proposed work will take place outside of adjacent wetlands and in previously developed uplands.

2003-02323 TOUTANT, CHARLES
SULLIVAN Unnamed Pond

Requested Action:

Temporarily impact 2 linear feet of shoreline to install a dry hydrant on an unnamed pond on South Road

APPROVE PERMIT:

Temporarily impact 2 linear feet of shoreline to install a dry hydrant on an unnamed pond on South Road

With Conditions:

1. All work shall be in accordance with plans received by the Department on October 17, 2003.
2. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
3. Area shall be regraded to original contours following completion of work.
4. This permit does not allow for maintenance dredging.
5. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
7. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
8. No fill shall be done for lot development.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(w), alteration of less than 10 linear feet of bank for installation of a dry hydrant.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2003-02324 STRAYER, FRANCES
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Replace in-kind an existing 3-piling ice cluster at the end of an existing 7 ft x 47 ft pier attached to an existing 17 ft x 10 ft swim deck on an average of 248 ft of frontage on Moultonborough Neck, Lake Winnepesaukee.

Conservation Commission/Staff Comments:

Con. Com. signed application.

Kate Taylor from LPC commented about project.

APPROVE PERMIT:

Replace in-kind an existing 3-piling ice cluster at the end of an existing 7 ft x 47 ft pier attached to an existing 17 ft x 10 ft swim deck on an average of 248 ft of frontage on Moultonborough Neck, Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Richard L. Benton, Jr. dated September 14, 2003, as received by the Department on October 17, 2003.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. Removed material shall be placed outside of the jurisdiction of the DES Wetlands Bureau prior to new construction.

6. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
7. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
9. Repair shall maintain existing size, location and configuration.
10. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
11. Work shall be done during drawdown.
12. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

2003-02351 STEELE, HELEN
PORTSMOUTH Piscataqua River

Requested Action:

Impact 190 square feet of the tidal buffer zone to remove and replace an existing deteriorated wooden retaining wall with a new retaining wall to be constructed of wooden timbers and piles.

Inspection Date: 10/15/2003 by Christina Altimari

APPROVE PERMIT:

Impact 190 square feet of the tidal buffer zone to remove and replace an existing deteriorated wooden retaining wall with a new retaining wall to be constructed of wooden timbers and piles.

With Conditions:

1. All work shall be in accordance with plans by Helen Steele, dated October 14, 2003, as received by the Department on October 20, 2003.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Coastal staff shall be notified in writing prior to commencement of work and upon its completion.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
6. Appropriate turbidity controls shall be installed prior to construction and shall be maintained during construction such that no turbidity escapes the immediate repair area.
7. Work shall be done during low tide.
8. Work shall not begin until both the City of Portsmouth has received its permit to repair the portion of the wall that exists in the City's right-of-way.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(o), based on the fact that the wall itself is the highest observable tide line, all will be done from the landward side of the wall, and the new wall will not exist beyond the footprint of the existing, deteriorated retaining wall.

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence that demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has obtained written approval from the one abutter whose property line exists within twenty feet of the retaining wall repair.
5. The property is contiguous with a right of way owned by the City of Portsmouth. The portion of the retaining wall on the City's property is also in need of repair, which will be done by the same contractor, and at the same time as the work being done on the Steele property.

GOLD DREDGE

2003-02507 OKESSON, ROBERT
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc: Bath ConCom

TRAILS NOTIFICATION

2003-02390 KEANE, JOHN & ANNE-MARIE
HANOVER Unnamed Stream

COMPLETE NOTIFICATION:
Hanover Tax Map 2, Lot# 129

LAKES-SEASONAL DOCK NOTIF

2003-02527 SILK, TONI
HARRISVILLE Lake Skatutakee

COMPLETE NOTIFICATION:
Harrisville Tax Map 32, Lot# 30 Lake Skatutakee